

Notice of Allowability

Application No.

10/743,201

Examiner

Carolyn M. Bleck

Applicant(s)

PARANKIRINATHAN, KIRITHARAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 20 May 2005.
2. ☒ The allowed claim(s) is/are 1-2 and 4-10 (renumbered 1-9).
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Notice to Applicant

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 20 May 2005 has been entered.
2. This communication is in response to the RCE filed 20 May 2005. Claims 1-2 and 4-10 are pending.

Claim Rejections - 35 USC § 112

3. The rejections made under 35 U.S.C. § 112, second paragraph, are hereby withdrawn due to the amendment filed 20 May 2005.

Allowable Subject Matter

4. Claims 1-2 and 4-10 (now renumbered 1-9) are allowed. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claim 1 is directed towards a method for a coverage provider to provide survival risk insurance to a coverage recipient. The method includes calculating an expected death benefit payable by one or more original life insurance policies to a coverage recipient due to

expected deaths of the members of said group of insured lives, said deaths occurring between the beginning and end date and a step of calculating a single premium for survival risk insurance based on the formula in claim 1. A coverage provider is then committed to pay the coverage recipient a first benefit for the survival risk insurance equal to a percentage of the positive difference between the expected death benefit and an actual death benefit payable to said coverage recipient due to actual deaths of members of said group of insured lives, said deaths occurring between said beginning date and said end data, and committing said coverage recipient to pay a set of premiums to said coverage provider in exchange for said first benefit wherein said set of premiums has a present value as of said beginning date equal to said single premium for said survival risk insurance.

The closest prior art of record, Ross (5,974,390), teaches an investment vehicle where participants pool their ownership of insurance policies. The method of the present invention is generally directed to distributing proceeds from a financial vehicle to participants thereof. The proceeds typically come from an insurance policy. The method comprises enrolling a participant in the vehicle, wherein said participant owns at least one of the insurance policies. This insurance policy is on a predetermined statistical probability of an event occurrence associated therewith. This statistical probability is based upon a predetermined criteria. The method also comprises assigning proceeds to the vehicle; and receiving and applying the proceeds from the policy to the vehicle upon the occurrence of the event. The method further comprises

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distributing the proceeds from the vehicle to a participant based upon the relative statistical probability of the policy to other policies in the vehicle.

In general, Ross fails to teach a method for providing survival risk insurance. Ross (5,974,390), fails to teach a step for calculating a suitable premium for survival risk insurance, where the step includes the formula disclosed within claim 1. Ross fails to teach calculating SPR based on PV1, PV2, and PV3. For these reasons claims 1-2 and 4-10 (now renumbered 1-9) are allowable over the prior art.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches: method and apparatus for insuring the funding of a future liability of uncertain cost (4,839,804), method and apparatus for pooling and distributing bond dividends (5,592,379), loans and lines of credit provided to terminally ill patients (US 20010047325), system and method for designing a life insurance program for an organization (US 20030074233), systems and methods for transferring ownership of an insurance asset cash flow via a true sale (US 20030083975), apparatus and method for achieving enhanced returns on investments (US 20040177021), system for designing and implementing bank owned life insurance with reinsurance option (5,806,042), and system and method for designing and administering survivor benefit plans (5,913,198).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (571) 272-6767. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (571) 272-6776.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306 or (703) 872-9326 [Official communications]

(703) 872-9327 [After Final communications labeled "Box AF"]

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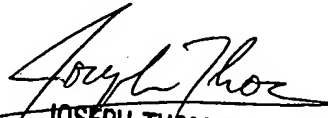
(571) 273-6767 [Informal/ Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to the Knox Building, Alexandria, VA.

CB

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June 24, 2005


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600